



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hilda E. Smith

Serial No.: 10/632,117

Filed: July 31, 2003

For: ENVIRONMENTALLY
REGULATED GENES OF
STREPTOCOCCUS SUI

Confirmation No.: 5350

Examiner: J. Hines

Group Art Unit: 1645

Attorney Docket No.: 2183-6055US
(SVD/P45975US00)

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**RESPONSE UNDER 37 C.F.R. § 1.114
REQUEST FOR CONTINUED EXAMINATION**

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Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Responsive to the Final Office Action sent December 23, 2008, applicant notes with appreciation the withdrawal of the previous rejections and responds as follows.

35 U.S.C. § 112

Claims 21-27 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. Applicant respectfully traverses the rejection.

Applicant notes that "[a]n adequate written description of the invention may be shown by